

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

TQ DELTA, LLC,

*Plaintiff,*

v.

COMMScope HOLDING COMPANY, INC.,  
COMMScope INC., ARRIS US HOLDINGS,  
INC., ARRIS SOLUTIONS, INC., ARRIS  
TECHNOLOGY, INC., and ARRIS  
ENTERPRISES, LLC

*Defendants.*

CIV. A. NO. 2:21-CV-310-JRG

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DECLARATION OF ROSS R. BARTON IN SUPPORT OF  
COMMScope'S MOTIONS *IN LIMINE*

I, Ross R. Barton, declare:

1. I am a partner at Alston & Bird LLP, counsel of record for Defendants CommScope Holding Company, Inc., CommScope Inc., ARRIS US Holdings, Inc., ARRIS Solutions, Inc., ARRIS Technology (collectively, "CommScope"). I am over the age of 18 years, have personal knowledge of the matters in this declaration, and if called as a witness, I would and could competently testify to them.

2. Attached hereto as **Exhibit A** is a true and correct copy of *Ericsson, Inc. v. Apple, Inc.*, No. 2:21-cv-00376-JRG, Dkt. 291 (E.D. Tex. Nov. 29, 2022).

3. Attached hereto as **Exhibit B** is a true and correct copy of excerpts from the Expert Report of Dr. Jonathan D. Putnam dated August 29, 2022.

4. Attached hereto as **Exhibit C** is a true and correct copy of excerpts from the August 4, 2022 deposition transcript of Abha S. Divine.

5. Attached hereto as **Exhibit D** is a true and correct copy of excerpts from the July

13, 2022 deposition transcript of Marcos Tzannes.

6. Attached hereto as **Exhibit E** is a true and correct copy of the June 15, 2022 Email from Bo Davis.

7. Attached hereto as **Exhibit F** is a true and correct copy of the July 12, 2022 Email from Rudy Fink.

8. Attached hereto as **Exhibit G** is a true and correct copy of the July 28, 2022 Email from Bo Davis.

9. Attached hereto as **Exhibit H** is a true and correct copy of excerpts from the January 15, 2020 Family 2 Trial Transcript.

10. Attached hereto as **Exhibit I** is a true and correct copy of excerpts from the May 23, 2019 Family 3 Trial Transcript.

I declare under penalty of perjury that the foregoing is true and correct. Executed on February 8, 2023, in Charlotte, North Carolina.

/s/ Ross R. Barton  
Ross R. Barton

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing document was filed electronically in compliance with Local Rule CV-5(a). Therefore, this document was served on all counsel on February 8, 2023.

/s/ Ross R. Barton  
Ross Barton